



STATE OF WASHINGTON
DEPARTMENT OF HEALTH
1300 5th Quince Street • Olympia, Washington 98504

Washington State
Department of Health
Board of Osteopathic Medicine and Surgery
Meeting Minutes
January 31, 2003

The meeting of the Washington State Board of Osteopathic Medicine and Surgery was called to order by Mark Hunt, D.O., Chair, at 9:04 a.m. The meeting was held at St. Francis Hospital, Board Room, 34515 9th Ave. S., Federal Way, WA 98003.

Board Members Present: Mark Hunt, D.O., Chair
Daniel Dugaw, D.O., Vice-Chair
Ralph Monteagudo, D.O.
Larry Smith, D.O.
Thomas Shelton, D.O.
Thomas Bell, D.O.
Bill Gant, Public Member

Staff Present: Mark Brevard, Assistant Attorney General
Arlene Robertson, Program Manager
Holly Rawnsley, Program Manager
Margaret Gilbert, Staff Attorney
Judy Young, Staff Attorney

Public Present: Kate Janskey, ARNP, MS, CRNA

Open Session

1. Call to Order
 - 1.1 Approval of Agenda
The agenda was approved as published.
 - 1.2 Approval of Minutes - November 15, 2002
The November 15, 2002 minutes were reviewed and approved.

2. Settlement Presentations

2.1 Findings of Fact, Conclusions of Law and Agreed Order -
James R. Keene, DO, Docket # 02-06-A-10080P

Margaret Gilbert, Staff attorney, provided an overview of the case and the settlement offer as negotiated between the parties.

Deliberations were held in Executive Session. As reviewing board member, Dr. Shelton did not participate in the decision. The respondent will be advised of the Board's determination.

3. Practice Standards/Scope of Practice

3.1 Radiologic Technology Program Interpretative Statement
ISSUE

Review draft interpretative statement - Performance of Fluoroscopic Procedure by Certified Diagnostic Radiologic Technologists.

ACTION

The Board reviewed the most recent draft of the interpretative statement provided by the Radiologic Technology program. The Board concurred with the draft language. The Radiologic Technology program will be advised.

3.2 Nursing Care Quality Assurance Commission
Interpretative Statement
ISSUE

Nurses (RNs and LPNs) performing surgical site markings.

ACTION

Procedures and policies of the various facilities dictate who can perform this specific task. The Board indicated that the best practice would be for the surgeon to mark the surgical site. However, if within the policies of the particular facility, it would be within the scope of practice for either an RN or LPN to be delegated the task to mark the surgical site. Staff will notify NCQAC of the Board's review.

3.3 Dispensing Optician Program Interpretative Statement
ISSUE

Is there an overlapping scope issue relative to a licensed dispensing optician to perform corneal

reshaping with contact lenses to correct low and/or moderate myopia?

ACTION

The Board indicated that fitting contact lenses which purposely misshape the cornea is very different than fitting standard contact lenses. There is the potential for harm which would need to be identified and possible complications treated. The Board indicated that an optometrist or ophthalmologist should be continually monitoring the patient during this type of treatment. The Dispensing Option Program will be advised of the Board's review.

3.4 Medical Quality Assurance Commission

ISSUE

The Medical Commission has notified other professions of its intent to review unregulated office-based surgery to determine if rules are needed.

ACTION

The Board reviewed the Report of the Special Committee on Outpatient (Office-based) Surgery adopted by the Federation of State Medical Boards. It was noted that the Nursing Care Quality Assurance Commission had adopted a position relative to this issue. Staff will obtain a copy of that document and bring back to the Board for review. Staff will continue to monitor the activities of the Medical Commission pertaining to this subject.

4. Review of Physician Assistant Program for Approval

4.1 Union College, Physician Assistant Program, Lincoln, Nebraska

ACTION

Union College, Physician Assistant Program, was found to meet the requirements for program approval. The program was approved.

5. Federation of State Medical Boards (FSMB)

5.1 Attendance to FSMB Annual Meeting, April 10-12, Chicago

ACTION

Dr. Monteagudo and Bill Gant indicated they would both be interested in attending the meeting. Staff will prepare the paperwork for review and approval.

6. Delegation of Final Decision Making to the Presiding Officer

ISSUE

Since some board members had not had an opportunity to review the policy for delegated authority to the Presiding Officer, this issue was placed on the agenda for reconsideration.

ACTION

After review of the policy and categories of delegation, the Board determined there would be no change to the decision made at the September 13, 2002 meeting.

7. Program Manager Reports

7.1 Budget Report

Ms. Robertson reported on the budget report. It was noted there was a larger than expected balance. Ms. Robertson indicated it appears there is an error in the report. She will look into where the discrepancy is and report back at the March meeting.

7.2 2002 Activity and Disciplinary Report

Ms. Robertson provided the 2002 Activity and Disciplinary Report for review. The number of licensees continues to increase while complaints remain static. Most of the cases are completed within the proscribed timelines.

It was suggested the statistics be sent to the Washington Osteopathic Medical Association to publish in its newsletter.

8. Executive Director Reports

Information relative to the legislation pertaining to malpractice liability was provided. Mr. Brevard discussed some of the primary concerns about the bill. It is a matter of waiting to see if compromises can be reached.

Closed Session

9. Disciplinary Case Reviews - Reviewing Board Member Reports

CASE NUMBER

CASE DISPOSITION

2001-10-0003OP

Refer for additional investigation

2002-07-0002OP

Closed no cause for action; evidence does not support a violation.

2002-09-0002OP Closed no cause for action; evidence
does not support a violation.

2002-09-0003OP Closed no cause for action; evidence
does not support a violation.

10. Compliance Reports
There were no compliance reports.

11. Application Review
Three applications were reviewed and approved.

The meeting adjourned at 11:10 a.m.

Respectfully Submitted


Arlene A. Robertson
Program Manager

Minutes for the Board of Osteopathic Medicine and Surgery dated January 31, 2003 were reviewed and approved at the March 28, 2003 board meeting.

A handwritten signature in dark ink, appearing to read 'Mark Hunt', is written above a horizontal line.

Mark Hunt, DO, Chair